

REMARKS

In the **final** Office Action mailed June 18, 2009, the Examiner noted that claims 1-14, 17, and 19-23, 25-28 were pending and rejected claims 1-5, 7, 21 and 25-28 all other claims being withdrawn. Claims 1, 2, 4, 7, 25 and 26 have been amended, no claims have been canceled, claim 29 and 30 are new, and, thus, in view of the foregoing, claims 1-14, 17, and 19-23, 25-30 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 103

Claims 1, 2, 4, 7, 17, 21 and 24-28 stand rejected under 35 U.S.C. § 103(a) as being obvious over Gorday, U.S. Patent No. 6,665,521 in view of Kotzin, U.S. Patent No. 6,864,501 and Applicant Admitted Prior Art. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Gorday discusses a system of communicating between a wireless network and a plurality of wireless devices.

Kotzin discusses mobile communications devices including a device having a first radio module removably coupled a second electronics device, having a second radio module removably coupled, the radio modules supporting common radio communications devices when both of the first and second radio modules are coupled to the same device, and the first and second

radio modules supporting radio communications of the first and second devices when coupled.

The Applicants have amended claim to recite ***"using a communication management unit to control at least part of the process of communication between said at least two microcircuit cards, said communication management unit*** employing a command-response protocol using said contactless communication means to communicate with said microcircuit cards ***upon said microcircuit cards being within a radius of action of said communication management unit;*** storing in said communication management unit a list of said microcircuit cards ***that are within the radius of action of said*** communication management unit; and ***storing in said communication management unit a message intended for at least one of said microcircuit cards when the addressee microcircuit card is temporarily out of the radius of action of the communication management unit.***" (Emphasis added) Support for the amendment may be found, for example, cancelled claim 3; and in ¶¶ 0063; 0064; 0068 and 0069 of the printed publication version of the Specification. The Applicants submit that no new matter is believed to have been added by the amendment of claim 1.

Gorday merely discusses a communication system in which a plurality of wireless devices communicate within a short range using a secondary protocol such as Bluetooth. Each device establishes a list of partners which are other devices within the range of the secondary protocol. (see Gorday, col. 2, lines 4-19)

Thus, Gorday does not disclose nor suggest at least the following: the wireless devices are microcircuit cards having contactless communications means; a list of devices stored in a communication management unit (distinct from the devices); storing in a communication management unit a message intended for at least one of the devices when the addressee device is temporarily out of range of the communication management unit as in claim 1.

Kotzin and Gorday in view of Kotzin and AAPA as well fail to disclose these features.

The Applicants note that the Office combines Ghirnikar U.S. Patent No. 6,216,001 with Gorday and Kotzin with in rejecting cancelled claim 3 as amended into claim 1.

Ghirnikar teaches a message service that may store undelivered messages and delivers them at a later time in the context of a wireless communication between a wireless communication device (120) and a network (110). (See Ghirnikar, col. 4, lines 16-37)

The objective sought by Ghirnikar is to provide a user of a wireless communication device with the current service level available, so that the user of the communication device will have the appropriate expectation of his/her current ability to originate and/or receive messages by way if the wireless communication device. (See Ghirnikar, col. 1, line 66 to col. 2,

line 10).

As the technical context and the problem addressed by Ghirnikar are different to those of the present invention, it is therefore believed that one of ordinary skill in the art would not consider combining the teachings of Gorday and Ghirnikar in order to seek to address the issue of the potential loss of messages being broadcast when microcircuits cards, without warning, find themselves out of communication range. (See ¶ 0004 of the printed publication version of the Specification)

Further, combined Gorday, Kotzin and Ghirnikar do not disclose the following steps now recited storing in a communication management unit a list of the microcircuit cards that are within the radius of action of the communication management means unit, and storing in the communication management unit a message intended for at least one of the microcircuit cards when the addressee microcircuit as in claim 1.

For at least the reasons discussed above, Gorday, Kotzin, AAPA and Ghirnikar, taken separately or in combination, fail to render obvious the features of claims 1 and 25 and the claims dependent therefrom.

Withdrawal of the rejections is respectfully requested.

NEW CLAIMS

Claims 30 and 30 are new. Support for the claims may be

found, for example, in claim 6. The Applicants submit that no new matter is believed to have been added by the amendment of the claims. The Applicants submit that no new matter is believed to have been added by the addition of the claims.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 1-14, 17, and 19-23, 25-30 continue to be allowable. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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